

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION**

**JOHN L. MAXWELL,**

**Plaintiff,**

**v.**

**NANCY A. BERRYHILL,  
Acting Commissioner of the Social  
Security Administration,**

**Defendant.**

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**Civil Action No. 7:17-CV-00111-M-BP**

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and any objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the undersigned District Judge is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court.

Accordingly, it is **ORDERED** that Plaintiff's Complaint (ECF No. 1) is **DISMISSED without prejudice** pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute and failure to comply with the Court's orders. Dismissal is without prejudice to Plaintiff's right to reopen the case provided that Plaintiff file a motion to reopen along with a brief in support of his Complaint that complies with the Court's October 24, 2017, Order Directing Filing of Briefs (ECF No. 13) **on or before thirty (30) days** from the date of this Order.

**SO ORDERED** on this 11th day of May, 2018.

  
BARBARA M. G. LYNN  
CHIEF JUDGE